

REMARKS

The newly applied Igarashi et al. reference, and rejections based upon it, has been carefully studied. Claims 1-4, 6, 8, 10, 11, 13, 16, 17 and 19 have been amended. Claims 5, 9, 12, 14, 15, 18, 20, 21 and 23 were cancelled. Currently presented Claims 1-4, 6, 8, 10, 11, 13, 16, 17 and 19 are now examined in this application.

Claims 1-4, 6, 8, 10, 16, 17 and 19 were rejected under 35 U.S.C. § 102(e) over Igarashi et al. Claim 13 was rejected under 35 U.S.C. § 103(a) over Igarashi et al. in view of Dasse et al. For the reasons hereinafter recited, applicants respectfully submit that each of the claims now under consideration define subject matter which is neither shown nor taught by Igarashi et al. and/or Dasse et al.

The primary reference, Igarashi et al. describes (see Figure 23) a hemodialysis catheter at column 24, line 10 to column 25, line 67. The catheter includes a dual lumen tube 100 having a distal tip 53 connected to it. The maximum radial dimension of the tip is larger (substantially) than the radial dimension of the tube adjacent to (and directly connected to) said tip. On this basis alone, it will be seen that Igarashi et al. does not anticipate the Claim 1 invention.

Accordingly, the 35 U.S.C. § 102(E) REJECTION OF Claim 1 should be withdrawn and Claim 1 allowed. Claims 2-4, 6, 8, 10, 11 and 13 depend from Claim 1 and Applicants respectfully submit that, on this basis alone, those dependent Claims should also be allowed.

It is noted that Claim 13 was rejected under 35 U.S.C. § 103(a) over Igarashi et al. and Dasse et al. However, in light of the amendment of Claim 1 (previously discussed), it is believed that this rejection should be rendered moot and withdrawn.

The Igarashi et al. reference also describes a flow control tip directly connected to a distal portion of a single, multiple lumen catheter tube. It also includes a dual lumen catheter tube 100 having sealing members 54 which are inserted in blood extraction and blood return lumens 13 and 14. The sealing members 54 are positioned adjacent corresponding ports 71 and 81. Neither of the sealing members 54 comprises a "longitudinally elongated flow deflector element".

The Igarashi et al. reference, accordingly, fails to anticipate independent Claim 16 for the aforescribed reasons. Accordingly, Claim 16 and its dependent Claims 17 and 19 should also be in allowable form.

It is plain that the primary reference, Igarashi et al discloses catheters which are radically different from those disclosed and claimed in the present application. The amendments presently made distinguish applicants claimed inventions more clearly from the reference. Accordingly, applicants submit that the application should be allowable form.

Respectfully submitted,

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